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Crl.OP.No.27423 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.27423 of 2025

1. Jayapal
2. Muniyappa
3. Ramesh

... Petitioners

Vs.

State Rep by
The Inspector of Police,
Thalaivasal Police Station,
Salem District.
(Cr.No.320 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending investigation in Cr.No.320 of 2025 on the file of the respondent police.

For Petitioners : Mr.P.M.Jayachandran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER



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The petitioners, who were arrested and remanded to judicial custody on 26.08.2025 for the alleged offence under Sections 310(4) BNS in Crime No.320 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners along with other accused attempted to commit robbery and several mobile phones, tools, gloves and a face mask were recovered. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have falsely implicated in this case. He further submitted the co-accused were enlarged on bail by this court on 24.09.2025. He further submitted that the petitioners were in custody from 26.08.2025. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and reported that the first petitioner is having two previous cases and second petitioner is having one previous cases. Hence, he opposed to grant bail to the petitioners.



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Crl.OP.No.27423 of 2023

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by both counsel, the co-accused in this case were already enlarged on bail and the period of incarceration. Though previous cases have been reported against the petitioners, I am inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing bonds for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate-II, Attur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioner shall report before the trial court for a period of three weeks and thereafter as



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Crl.OP.No.27423 of 2025

and when required for interrogation;

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

08.10.2025

Vv

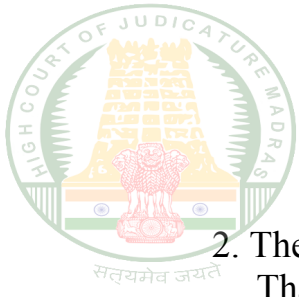
Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate-II, Attur

4/6



Crl.OP.No.27423 of 2023

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2. The The Inspector of Police,
Thalaivasal Police Station,
Salem District.

3. The Central Prison,
Salem.

4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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Crl.OP.No.27423 of 2025

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